

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>WILSON SMITH, JR.,</b>	:	<b>CIVIL ACTION NO. 1:08-CV-1324</b>
	:	
<b>Petitioner</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>PA STATE ATTORNEY GENERAL, LAWLER,</b>	:	
	:	
<b>Respondents</b>	:	

**ORDER**

AND NOW, this 30th day of September, 2008, upon consideration of  
petitioner's motion for an enlargement of time (Doc. 11) to file a reply, it is hereby

ORDERED that:

1. The motion for enlargement of time (Doc. 11) is GRANTED inasmuch as petitioner is afforded forty-five days from the date of this Order to file his reply.
2. The Clerk of Court shall TERMINATE respondents' motion to dismiss (Doc. 10) and edit the docket entry to read "Supplement to Answer," see R. GOVERNING § 2254 CASES R. 5 (providing that an "answer," not a motion to dismiss, "must state whether any claim in the petition is barred by . . . a statute of limitations").

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge